

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

HOSEY FLEMING

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:09CV11-P-A

TUNICA COUNTY, et al

DEFENDANTS

ORDER

This cause is before the Court on the Tunica defendants' Motion for Summary Judgment [16]. The Court, having reviewed the motion, the response, the briefs of the parties, the authorities cited and being otherwise fully advised in the premises, finds as follows, to-wit:

In accordance with the Memorandum Opinion entered contemporaneously herewith, Court finds that the defendants' Motion should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Tunica defendants' Motion for Summary Judgment [16] should be, and hereby is, GRANTED. IT IS FURTHER ORDERED that Sheriff K.C. Hamp, Deputy Sheriff Charlie Wright and Tunica County should be, and hereby are, DISMISSED WITH PREJUDICE as party defendants, with each party to bear its own costs. IT IS FURTHER ORDERED that the stay imposed on June 3, 2009 is hereby LIFTED. IT IS FURTHER ORDERED that the remaining parties are to contact the assigned magistrate judge to schedule a case management conference within fourteen (14) days of the entry of this Order.

SO ORDERED, this, the 23rd day of November, 2010.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE